

REMARKS/ARGUMENTS

The Applicant thanks the Examiner for the Office Action dated April 20, 2006.

Double Patenting

A terminal disclaimer is filed herewith, which disclaims the term of any patent granted from the present application extending beyond the term of any patent granted from copending US Application No. 10/773,189.

Claim Rejections – 35 USC 103(a)

In his rejection of independent claims 1, 19 and 38, the Examiner has relied on the disclosure of US 6,669,333 (Silverbrook) to allege obviousness under 35 USC 103(a).

US 6,669,333 was published on December 30, 2003, which is after the filing date of the present invention. Accordingly US 6,669,333 does not qualify as prior art under 35 USC 102(a) or (b).

Furthermore, US 6,669,333 and the present application have the same sole inventor – Kia Silverbrook. Therefore, US 6,669,333 does not qualify as prior art under 35 USC 102(e), because it is not a patent filed “by another” in the United States.

Since US 6,669,333 does not qualify as prior art under 35 USC 102, it cannot be used to allege obviousness under 35 USC 103(a).

Accordingly, it is submitted that all rejections raised in the Office Action under 35 USC 103(a) are improper and should be withdrawn.

It is respectfully submitted that all of the Examiner's objections have been successfully traversed. Accordingly, it is submitted that the application is now in condition for allowance. Reconsideration and allowance of the application is courteously solicited.

Very respectfully,

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